



Reprinted
February 21, 2007

SENATE BILL No. 193

DIGEST OF SB 193 (Updated February 20, 2007 2:19 pm - DI 104)

Citations Affected: Noncode.

Synopsis: Comprehensive care bed moratorium. Extends the moratorium on new comprehensive care beds until June 30, 2008. Adds exemptions from the moratorium for: (1) specified circumstances concerning replacement beds; and (2) continuing care retirement communities.

Effective: Upon passage.

Miller, Rogers

January 8, 2007, read first time and referred to Committee on Health and Provider Services.

February 1, 2007, amended, reported favorably — Do Pass.

February 20, 2007, read second time, amended, ordered engrossed.

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SB 193—LS 6483/DI 104+



Reprinted
February 21, 2007

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

SENATE BILL No. 193

A BILL FOR AN ACT concerning health.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. P.L.96-2006, SECTION 2, IS AMENDED TO READ
2 AS FOLLOWS [EFFECTIVE UPON PASSAGE]: SECTION 2. (a) As
3 used in this SECTION, "comprehensive care bed" means a bed that:
4 (1) is licensed or is to be licensed under IC 16-28-2;
5 (2) functions as a bed licensed under IC 16-28-2; or
6 (3) is subject to IC 16-28.
7 The term does not include a comprehensive care bed that will be used
8 solely to provide specialized services and that is subject to IC 16-29.
9 (b) This SECTION does not apply to the following:
10 (1) A hospital licensed under IC 16-21-2 that in accordance with
11 IC 16-29-3-1, as amended by this act, converts not more than:
12 (A) thirty (30) acute care beds to skilled care comprehensive
13 long term care beds; and
14 (B) an additional twenty (20) acute care beds to either
15 intermediate care comprehensive long term care beds or
16 skilled care comprehensive long term care beds;
17 that are to be certified for participation in a state or federal
18 reimbursement program, including a program under Title XVIII

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of the Social Security Act (42 U.S.C. 1395 et seq.) or the state Medicaid program, if those beds will function essentially as beds licensed under IC 16-28.

(2) A health facility licensed or to be licensed under IC 16-28 that is under development on June 30, 2006, to add, construct, or convert comprehensive care beds. In determining whether a health facility is under development on June 30, 2006, the state department shall consider:

(A) whether:

- (i) architectural plans have been completed;
- (ii) funding has been received;
- (iii) zoning requirements have been met; and
- (iv) construction plans for the project have been approved by the state department and the division of fire and building safety; and

(B) any other evidence that the state department determines is an indication that the health facility is under development.

(3) A health facility that is licensed or is to be licensed under IC 16-28 and that adds, constructs, or converts a comprehensive care bed that is a replacement bed for an existing comprehensive care bed.

(4) A health facility that is licensed or is to be licensed under IC 16-28 and that applies to certify a comprehensive care bed for participation in a state reimbursement program, if the bed for which the health facility is seeking certification is a replacement bed for an existing certified comprehensive care bed.

(5) A continuing care retirement community required to file a disclosure statement under IC 23-2-4.

(c) Comprehensive care beds may not be added or constructed in Indiana.

(d) Residential beds licensed under IC 16-28-2 and unlicensed beds may not be converted to comprehensive care beds.

(e) The Indiana health facilities council may not recommend and the state department of health may not approve the certification of new or converted comprehensive care beds for participation in a state reimbursement program, including the state Medicaid program.

(f) This SECTION expires ~~June 30, 2007~~ **June 30, 2008**.

SECTION 2. [EFFECTIVE UPON PASSAGE] 405 IAC 5-4-4 is void. The publisher of the Indiana Administrative Code and Indiana Register shall remove this section from the Indiana Administrative Code.

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1 **SECTION 3. An emergency is declared for this act.**

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SENATE MOTION

Madam President: I move that Senator Rogers be added as second author of Senate Bill 193.

MILLER

 COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 193, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, between lines 17 and 18, begin a new line block indented and insert:

"(3) A health facility that is licensed or is to be licensed under IC 16-28 and that adds, constructs, or converts a comprehensive care bed that is a replacement bed for an existing comprehensive care bed.

(4) A health facility that is licensed or is to be licensed under IC 16-28 and that applies to certify a comprehensive care bed for participation in a state reimbursement program, if the bed for which the health facility is seeking certification is a replacement bed for an existing certified comprehensive care bed."

and when so amended that said bill do pass.

(Reference is to SB 193 as introduced.)

MILLER, Chairperson

Committee Vote: Yeas 11, Nays 0.

 SENATE MOTION

Madam President: I move that Senate Bill 193 be amended to read as follows:

Page 2, between lines 36 and 37, begin a new paragraph and insert:

"SECTION 2. [EFFECTIVE UPON PASSAGE] 405 IAC 5-4-4 is void. The publisher of the Indiana Administrative Code and

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Indiana Register shall remove this section from the Indiana Administrative Code."

Renumber all SECTIONS consecutively.

(Reference is to SB 193 as printed February 2, 2007.)

MILLER

SENATE MOTION

Madam President: I move that Senate Bill 193 be amended to read as follows:

Page 2, between lines 27 and 28, begin a new line block indented and insert:

"(5) A continuing care retirement community required to file a disclosure statement under IC 23-2-4."

(Reference is to SB 193 as printed February 2, 2007.)

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